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10/528,755

10/19/2005

Hugh Owen Lovesy

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SEYFARTH SHAW LLP
131 S. DEARBORN ST., SUITE 2400
CHICAGO, IL 60603-5803

EXAMINER

KANERVO, VIRPI H

ART UNIT

PAPER NUMBER

3691

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DELIVERY MODE

03/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/528,755 | Applicant(s) LOVESY ET AL. | |
| | Examiner VIRPI H. KANERVO | Art Unit 3691 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/22/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/25/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in § 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-8, 12-15, and 17-18, are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bose (6,271,863 B1) in view of Heckman (5,875,431).

As to claims 1 and 12, Bose shows presenting financial information to a user wherein the financial information is represented by a graphic (Bose: Fig. 1); associating the graphics with one another (Bose: Fig. 1); manipulating at least one of the graphics in response to an action of a user (Bose: col. 2, lines 3-5); and modifying the financial information based on the manipulation of the at least one graphic (Bose: col. 2, lines 7-10). Bose does not show the financial information including a planned value in respect of a pre-determined period of time, a target value being a proportion of the planned value at a pre-determined point during the period of time, and an actual value as at the pre-determined

point during the period of time; and the variance between the target value and the actual value. Heckman shows the financial information including a planned value in respect of a pre-determined period of time, a target value being a proportion of the planned value at a pre-determined point during the period of time, and an actual value as at the pre-determined point during the period of time (Heckman: col. 23, lines 19-23); and the variance between the target value and the actual value (Heckman: col. 23, lines 23-24). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method and system of Bose by the financial information including a planned value in respect of a pre-determined period of time, a target value being a proportion of the planned value at a pre-determined point during the period of time, and an actual value as at the pre-determined point during the period of time; and the variance between the target value and the actual value of Heckman in order to provide an access to data from which future costs can be predicted reasonably (Heckman: col. 2, lines 44-46).

As to claims 2 and 13, Bose in view of Heckman shows all the elements of claims 1 and 12. Bose also shows the financial information that the at least one graphic represents is proportional to a dimension of the graphic (Bose: col. 2, lines 33-35), and the step of manipulating the graphic includes the step of resizing the graphic (Bose: col. 2, lines 3-5).

As to claims 3 and 14, Bose in view of Heckman shows all the elements of claims 1 and 12. Bose also shows the financial information that the at least one graphic represents corresponds to the position of the graphic (Bose: Fig. 1), and the step of manipulating the graphic includes the step of moving the graphic (Bose: col. 2, lines 31-33).

As to claims 4 and 15, Bose in view of Heckman shows all the elements of claims 1 and 12. Bose also shows the step of creating a graphic and the financial information represented by that graphic (Bose: Fig. 1).

As to claims 6 and 17, Bose in view of Heckman shows all the elements of claims 1 and 12. Bose also shows the step of storing the financial information (Bose: col. 1, lines 18-20).

As to claims 7 and 18, Bose in view of Heckman shows all the elements of claims 1 and 12. Bose also shows the step of substituting the at least one graphic with an alternative graphic (Bose: col. 2, lines 7-10).

As to claims 8 and 19, Bose in view of Heckman shows all the elements of claims 1 and 12. Bose also shows the step of representing the financial information wholly numerically (Bose: col. 3, lines 12-14).

3. Claims 5, 9-11, 16, and 20-22, are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bose in view of Heckman, and further in view of Groat (2001/0009003 A1).

As to claims 5 and 16, Bose in view of Heckman shows all the elements of claims 1 and 12. Bose also shows the step of indication of positive and negative financial status (Bose: Fig. 1, label 106). Bose in view of Heckman does not show generating icons. Groat shows generating icons (Groat: page 4, ¶ 48). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method and system of Bose in view of Heckman by generating icons of Groat in order to provide visual display of the financial status (Groat: page 1, ¶ 7).

As to claims 9 and 20, Bose in view of Heckman shows all the elements of claims 1 and 12. Bose in view of Heckman does not show that the planned value is a budget, and further including the step of generating icons representative of budget items within the budget. Groat shows that the planned value is a budget, and further including the step of generating icons representative of budget items within the budget (Groat: page 4, ¶ 49). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method and system of Bose in view of Heckman by the planned value being a budget,

and further including the step of generating icons representative of budget items within the budget of Groat in order to provide visual display of the financial status (Groat: page 1, ¶ 7).

As to claims 10 and 21, Bose in view of Heckman, and further in view of Groat, shows all the elements of claims 9 and 20. Bose also shows manipulating the graphic (Bose: col. 2, lines 3-5). Bose in view of Heckman does not show the step of associating a graphic with each icon whereby that budget item can be modified. Groat shows the step of associating a graphic with each icon whereby that budget item can be modified (Groat: page 4, ¶ 49). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method and system of Bose in view of Heckman by associating a graphic with each icon whereby that budget item can be modified of Groat in order to provide visual display of the financial status (Groat: page 1, ¶ 7).

As to claims 11 and 22, Bose in view of Heckman, and further in view of Groat, shows all the elements of claims 9 and 20. Bose in view of Heckman does not show the step of generating icons representing a time period over which the budget is to extend. Groat shows the step of generating icons representing a time period over which the budget is to extend (Groat: page 6, ¶ 62). It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the method and system of Bose in view of Heckman by generating

icons representing a time period over which the budget is to extend of Groat in order to provide visual display of the financial status (Groat: page 1, ¶ 7).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Albright (2002/0099678 A1) discloses retail price and promotion modeling system and method.

Cho (2004/0220977 A1) discloses method and system for facilitating information exchange.

Coyne (2003/0144970 A1) discloses project management database and method of managing project related information.

Masuda (2003/0210279 A1) discloses shopping system.

Smith (2002/0147668 A1) discloses methods and systems for job-based accounting.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VIRPI H. KANERVO whose telephone number is (571)272-9818. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander G. Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Virpi H. Kanervo

/Alexander Kalinowski/

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Supervisory Patent Examiner, Art Unit 3691